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Division

## 16 Environmental offences

### Australian and New Zealand Standard Offence Classification (ANZSOC)

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#### Description

Environmental offences include acts that cause harm or risk to the natural environment. This includes air, water, land, ecosystems, landscapes, flora, fauna, and other animals. Most but not all offences in this division are regulatory offences.

Subdivision

## 161 Environmental pollution

#### Description

Environmental pollution is any act that results in the direct or indirect polluting of public property. This includes the air, water, land, and broader environment. It excludes the dropping or dumping of litter or personal rubbish.

#### 1611 Air pollution offences

This group includes breaches of air pollution regulations. This includes local bylaws, such as those relating to use of woodfires and woodstoves on private property.

##### Inclusions:

- Breach regulations relating to woodstoves, woodfires, incinerators, or backyard burning
- Corporate breach of air pollution regulations
- Fail to notify authorities of an air pollution incident
- Other air pollution offences

##### Exclusions:

- Fire safety regulatory offences, such as using a barbecue on a fire ban day – coded to 1629 Environmental management offences, nec
- Offences relating to pollution from a motor vehicle – coded to 1342 Vehicle standards offences

#### 1612 Water and land pollution offences

This group includes breaches of water and land pollution regulations, excluding littering.

##### Inclusions:

- Breach water or land pollution regulations
- Fail to notify authorities of a water or land pollution incident
- Pollution of water, land, or soil
- Treat or dispose of contaminated soil without a permit
- Other water or land pollution offences

##### Exclusions:

- Commercial disposal of hazardous materials in an unlawful way (such as toxins, flammable liquids, biowaste, or radioactive materials) – coded to 1234 Hazardous substances offences
- Drop litter – coded to 1623 Littering offences
- Pollute drinking water to cause intentional harm to people – coded to 0499 Harm or endanger persons, nec

#### 1619 Environmental pollution, nec

This group includes any environmental pollution offences not elsewhere classified.

##### Inclusions:

- Accidental or negligent radiation pollution
- Light pollution
- Other environmental pollution offences not elsewhere classified

**Exclusions:**

- Littering or hard rubbish offences – coded to 1623 Littering offences
- Noise pollution – coded to 1224 Noise offences

**Subdivision**

## 162 Environmental management offences

### Description

Environmental management offences include breaches of regulations aimed at the protection of the natural environment, other than those relating to pollution. It also includes offences relating to the regulation of the agriculture, fishing, and forestry industries.

### 1621 Fishing offences

Fishing offences include commercial and non-commercial fishing or trawling offences. Regulations may vary by location and include provisions for traditional fishing activities, such as for First Nations peoples.

**Inclusions:**

- Breach commercial fishing or trawling regulations
- Breach size or species fishing regulations
- Exceed fishing quotas
- Fish in closed waters or a conservation zone
- Fishing licence offences
- Foreign boats fishing unlawfully
- Other fishing offences

**Exclusions:**

- Aquaculture offences – coded to 1629 Environmental management offences, nec
- Kill or harm a threatened species or ecological community – coded to 1622 Parks and wildlife offences

### 1622 Parks and wildlife offences

Parks and wildlife offences include regulatory offences relating to the management of state parks, national parks, or other crown land, conservation of natural environments, protection of flora and fauna, and management of wildlife.

This group excludes offences relating to the management of waterways or marine environments, except for the protection of flora and fauna within those environments.

**Inclusions:**

- Breach hunting or poaching legislation, excluding fishing offences
- Breach regulation applying to zoos and sanctuaries that does not constitute animal cruelty
- Breach the Convention on International Trade in Endangered Species
- Camp in an area where this is not permitted
- Disobey rules of parks or Crown land
- Flora and fauna offences
- Invasive animal control regulatory offences
- Keep a prohibited species as a pet
- Keep wildlife as a pet without a licence
- Kill wildlife without the required permit or licence
- Unlawful capture or taking of an animal
- Unlawful damage or destruction of protected plants, animals, ecosystems, or habitats
- Unlawful trafficking of protected animals or their parts, such as ivory, pelts, or shells, into or out of Australia or New Zealand
- Other parks and wildlife offences

**Exclusions:**

- Agriculture regulatory offences other than related to pollution – coded to 1629 Environmental management offences, nec
- Breach domestic animal registration offences – coded to 1722 Pet registration and management offences

- Harm or kill an animal, other than unlawful hunting, poaching, capture, or taking – coded to 1630 Animal cruelty
- Misuse of a hunting weapon – coded to 1043 Misuse of regulated weapons or explosives
- Offences relating to the pollution of waterways or oceans – coded to 1612 Water and land pollution offences

## 1623 Littering offences

Littering offences include the unlawful disposal of personal litter (including cigarette butts), household rubbish, or the unlawful leavings of objects such as bags of rubbish, damaged vehicles, or other objects.

It excludes commercial disposal of a liquid, gas, or hazardous materials.

### Inclusions:

- Drop or throw litter from a vehicle
- Drop, throw, or leave litter on the ground
- Drop, throw, or leave small items that may cause harm, such as cigarette butts or syringes, except where they cause human injury or breach fire safety regulations
- Dump rubbish on public or private land
- Leave objects including vehicles on public land, or in bodies of water
- Other littering offences

### Exclusions:

- Aggravated littering causing physical harm, excluding fire – coded to 0499 Harm or endanger persons, nec
- Commercial disposal of hazardous materials in an unlawful way – coded to 1234 Hazardous substances offences
- Drop a cigarette butt, match, or similar, where the offence breaches fire safety regulations – coded to 1629 Environmental management offences, nec
- Pollution of soil or groundwater – coded to 1612 Water and land pollution offences
- Unlawful disposal of a liquid – coded to 1612 Water and land pollution offences

## 1629 Environmental management offences, nec

This group includes any other environmental management offences not elsewhere classified.

### Inclusions:

- Aquaculture, agriculture, and forestry regulatory offences
- Breach livestock regulation offences, except animal cruelty offences
- Fail to safely contain livestock
- Fire safety regulatory offences, such as using a barbeque on a fire ban day, or leaving a campfire unattended
- Other environmental management offences not elsewhere classified

### Exclusions:

- Corporate offences with an environmental impact – coded to 1699 Environmental offences, nec
- Intentionally start a bushfire – coded to 1112 Bushfire arson

### Subdivision

## 163 Animal cruelty

### 1630 Animal cruelty

Animal cruelty includes acts that cause harm to, or the death of, an animal, except for offences relating to the lawful hunting, poaching, fishing or capture of wildlife. Harm refers to acts that cause suffering or puts an animal's life in danger.

Intent to harm is not required, for example the harm may be through neglect, or training animals by use of excessive physical force. Animals include domestic pets, livestock, working animals, racing animals, and animals in a zoo or sanctuary. Harming or killing wildlife is excluded, except where kept as pets.

### Inclusions:

- Breach animal welfare regulations
- Injure or torture an animal
- Maltreatment of an animal by a vet
- Maltreatment of an animal in the racing industry
- Neglect or ill-treatment of a pet
- Unlawfully harm or kill a pet or livestock

- Unlawfully use an animal for racing or gambling
- Other animal cruelty offences

**Exclusions:**

- Breach domestic animal registration legislation – coded to 1722 Pet registration and management offences
- Fishing offences – coded to 1621 Fishing offences
- Sexual activity with an animal – coded to 0391 Offensive sexual acts
- Unlawfully hunt, poach, capture, or take wildlife – coded to 1622 Parks and wildlife offences
- Unlawful trafficking of protected animals or their parts, such as ivory, pelts, or shells, into or out of Australia or New Zealand – coded to 1622 Parks and wildlife offences

**Subdivision**

## 169 Other environmental offences

### Description

This subdivision includes other environmental offences not elsewhere classified.

#### 1691 Plant and animal quarantine offences

Plant and animal quarantine offences include the failure to comply with quarantine requirements relating to plants, animals, or products containing biological matter. This group also includes acts that involve a threat or potential threat to the health and wellbeing of plants, animals, communities, or ecosystems.

**Inclusions:**

- Plant and animal quarantine offences
- Breach plant and animal biosecurity legislation
- Breach regulations relating to protection against disease affecting plants or animals
- Create a biosecurity risk through the import or transport of plants, animals, or products containing biological matter
- Other plant and animal quarantine offences

**Exclusions:**

- Offences relating to biological weapons – coded to the relevant groups within 10 Weapons and explosives offences
- Quarantine offences involving threats to human health and wellbeing – coded to the relevant groups within 123 Public health regulatory offences
- Unlawful trafficking of protected animals or their parts, such as ivory, pelts, or shells, into or from Australia or New Zealand – coded to 1622 Parks and wildlife offences

#### 1699 Environmental offences, nec

This group includes other environmental offences not elsewhere classified.

**Inclusions:**

- Corporate offences with an environmental impact
- Other environmental offences not elsewhere classified

**Exclusions:**

- Corporate offences not related to environmental protection and not elsewhere classified – coded to 1712 Financial management or corporate governance offences
- Offences against human health or safety – coded to the relevant groups within 123 Public health regulatory offences
- Regulatory offences relating to environmental protection or management – coded to the relevant groups within 162 Environmental management offences